

**STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD**

In re: Application of Mary Hitchcock)	
Memorial Hospital/Norris Cotton)	
Cancer Center-North, Replacement)	GMCB-005-15con
Of Linear Accelerator)	
)	

CERTIFICATE OF NEED

In accordance with Title 18, Chapter 221, Subchapter 5, other applicable laws and the Statement of Decision and Order in this matter, the Green Mountain Care Board issues this certificate of need (CON) to Mary Hitchcock Memorial Hospital/Norris Cotton Cancer Center-North (NCCC or the applicant), subject to the requirements and conditions set forth below.

Project Description and Scope

NCCC seeks to purchase a Varian TrueBeam linear accelerator and to construct a new vault in which to house it. NCCC also seeks to maintain the existing vault and Varian 2100 EX linear accelerator for use as a backup unit. The cost of the project is \$4,807,365.

The Project is outlined in greater detail in the Statement of Decision and Order in this docket, incorporated herein and issued today by the Board.

Project Conditions

The project as proposed, subject to the following conditions, meets the statutory criteria set forth in Section 9437 of Title 18:

1. NCCC shall develop and operate the project in strict compliance with its scope as described in the application, in other materials in the record submitted by the applicant, and in strict conformance with the Statement of Decision and Order issued today in this docket. This certificate of need is limited to the project and activities described therein.
2. The project shall be fully implemented within two (2) years of the date of this certificate of need or the certificate of need shall become invalid and deemed revoked.
3. Noncompliance with any provision of this certificate of need or with applicable ordinances, rules, laws and regulations constitutes a violation of this certificate of need and may be cause for enforcement action pursuant to 18 V.S.A. §§ 9445, 9374(i) and any other applicable law.

4. NCCC shall file implementation reports with the Board beginning six months from the date of this certificate of need and at six-month intervals thereafter until all components and phases of the project are complete and fully operational, and all invoices have been paid. The implementation reports shall include the following information and analysis:
 - a. Overview of the project, including information and analysis demonstrating that the project fully complies with its scope as described in the application, in other materials in the record submitted by NCCC, and in the Statement of Decision and Order issued today in this docket;
 - b. A separate spreadsheet showing expenditures by individual line item. The spreadsheet shall show the approved overall amount per the application, the amount spent during the six-month reporting period, the amount spent to date, and the amount remaining in both dollars and in percentages.
5. This certificate of need is not transferable or assignable and is issued only for the premises and entity named in the application.
6. If NCCC contemplates or becomes aware of a potential or actual nonmaterial change, as defined in 18 V.S.A. § 9432(12), or a material change as defined in 18 V.S.A. § 9432(11), to the scope or cost of the project described in its application and as designated in this certificate of need, NCCC shall file a notice of such change immediately with the Board. The Board shall review the proposed change and advise NCCC whether the proposed change is subject to review.
7. The Board may, after NCCC is provided notice and an opportunity to be heard, make such further orders as are necessary or desirable to accomplish the purposes of this certificate of need and to ensure compliance with its terms and conditions.
8. All reports, notices, forms, information or submissions of any kind required to be submitted to the Board as a condition of this certificate of need shall be signed by NCCC's chief executive officer and verified by the chief executive officer, or by his or her designated representative.
9. The conditions and requirements contained in this certificate of need shall remain in effect for the duration of the reporting period defined in paragraph 2, above.

SO ORDERED.

Dated: July 26, 2016 at Montpelier, Vermont.

s/ <u>Alfred Gobeille</u>)	
s/ <u>Cornelius Hogan</u>)	GREEN MOUNTAIN
)	CARE BOARD
s/ <u>Jessica Holmes</u>)	OF VERMONT

)
s/ Betty Rambur)
)
s/ Allan Ramsay)

Filed: July 26, 2016

Attest: s/ Janet Richard
Green Mountain Care Board
Administrative Services Coordinator